

From: [Figur, Charles \(he/him\)](#)
To: [Bloomberg, Jon H](#)
Bcc: [Jacobson, Linda](#)
Subject: RE: Draft Consent Agreement
Date: Wednesday, January 5, 2022 5:15:00 PM

Hi Jon

Thank you for your message. Our thinking is as follows.

We will have to meet virtually.

Although I'm sure discussions will continue, we see the first session as hearing your thoughts on the draft CAFO, and then figuring out appropriate follow-up. So, we think it is best to schedule the first discussion for one hour.

Our best time from the ones you shared is Tuesday 1/18 from 9-10 (mountain). We also can meet on Wednesday 1/19 at 11.

If we can, we will share the proposed penalty with you before the meeting.

If Tuesday still works for your team I'll send a Teams invite and ask you to forward it to your attendees.

Thanks.

Chuck

Charles L. Figur

Senior Assistant Regional Counsel
Audit Policy Co-coordinator for Region 8
Legal Enforcement Branch (8ORC-R)
U. S. Environmental Protection Agency Region 8
1595 Wynkoop Street, Denver, CO 80202-1129
(303) 312-6915; Figur.Charles@epa.gov
Pronouns: he, him, his

ECN: 510.0003.2021_XcelComanche

From: Bloomberg, Jon H <Jon.H.Bloomberg@xcelenergy.com>
Sent: Monday, December 27, 2021 4:48 PM
To: Figur, Charles (he/him) <Figur.Charles@epa.gov>
Subject: RE: Draft Consent Agreement

Chuck,

I hope you are having a relaxing time off. Not sure if you will see this until you get back, but wanted to advance the ball on scheduling our first meeting.

First, a few logistics questions: Do you anticipate this will be in person or virtual? How much time do you anticipate for the initial meeting? For now, I have included below 1 hour blocks where our folks all are available (with one possible 1.5 hour block). Finally, is there any possibility that we could get the revised draft or initial proposed penalty calculation in advance of our first meeting? That may make our initial meeting more productive.

Our team for these discussions will be me, Jeff West (our Senior Director of Environmental Services), as well as Jennifer McCarter, Quinn Kilty, and Roger Clarke (all of whom you have met before).

Proposed times we are available to meet (all times MST): Thursday, January 13 from 10 to 11; Friday, January 14 from 9 to 10, 11 to noon, or 1:30 to 3; Tuesday, January 18 from 9 to 11; Wednesday, January 19 from 11 to noon.

I hope one or more of these times works.

Best,

Jon

From: Figur, Charles (he/him) <Figur.Charles@epa.gov>
Sent: Thursday, December 16, 2021 5:32 PM
To: Bloomberg, Jon H <Jon.H.Bloomberg@xcelenergy.com>
Subject: Draft Consent Agreement

EXTERNAL - STOP & THINK before opening links and attachments.

Hi Jon

As we discussed attached is a draft consent agreement for consideration. We still are working on the penalty portion of our settlement offer. I expect we will be able to share it at our first discussion on the draft. Please note that this document will undergo additional agency review. So it is possible we will need to revise the draft as other Agency personnel review the document.

As we also discussed, the EPA team would like to aim for the second week of January to discuss settlement. When you get a chance, please let me know PSCo's preference for the first discussion (large group, attorneys only, etc.) and some dates and times that work. I will work on our end as soon as I return on January 3rd.

Thank you, and I hope you enjoy some time off this holiday season.

Chuck

Charles L. Figur
Senior Assistant Regional Counsel

Audit Policy Co-coordinator for Region 8
Legal Enforcement Branch (8ORC-R)
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